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EXAMINER AFSHAR, KAMRAN				
ART UNIT 2617		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/527,962

Applicant(s)

TAKAMORI ET AL.

Examiner

KAMRAN AFSHAR

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 11 is/are rejected.
- 7) ☒ Claim(s) 9-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 05/05/2008 have been fully considered but they are not persuasive.

Rejections - 35 USC § 102

In response to applicant's argument that Lemelson does not disclose, either explicitly, or inherently (i.e., not just possibly and not just probably, but necessarily), file subject matter of claims 1, 6 or 7. Each of these independent claims recites a combination of features that is not found in Lemelson. Lemelson never once discloses, when key information stored in the storage unit of mobile telephone apparatus made the key information included in an emergency signal match, generating a rescue signal that is transmitted from the rescue unit, as claimed.

Examiner very kindly directs the Applicant that Lemelson explicitly teaches that a remote portable unit which is taken to be the mobile telephone (See Lemelson e.g. Co. 5, Line 31,) and Fig. 3 explicitly teaches the detail embodiment of the remote unit 10 / or mobile telephone, Co. 5, Lines 37-39. Such portable device and person or vehicle carrying the same that is the same type device is in vehicle (See 41 of fig. 20 or in the Home Base (See 40 of Fig. 2) or Unit 10 (See Fig. 2), a mobile telephone apparatus (See Lemelson e.g. portable unit 10 of Fig. 3, Co. 5, Lines 37-41) and a portable detector (See Lemelson e.g. examiner takes that the mobile unit 41 of Fig. 1) or / three or more reception units installed in a disaster site (See cellular telephone networks inherently have / install a plurality (three or more) of sites (or cell sites or base station), Co. 3, Line 24 which states that codes transmitted to the monitor control center identifying or describing the person or vehicle carrying the remote portable unit via Satellite or radio network such as cellular telephone network whereby tracking (or locating) and intercepting or location of the person, Co. 3, Lines 20-26). In further review, Lemelson explicitly teaches a position locating system using **triangulation** (See Co. 5, Lines 46-50) and one or more substation (or Cell Sites, or cell sectors (See Co. 7, Line 21). Chang U.S. 6,263,208 B1 explicitly supports that **the triangulation**

technique which **requires (emphases added)** signal from three or more base stations within service area (or disaster area) or in E911 emergency situation (See Chang e.g. Co. 1, Lines 30-36), and a computer (See Lemelson e.g. computer 34 of Fig. 3) / or a mobile telephone apparatus (See Lemelson e.g. portable unit 10 of Fig. 3, Co. 5, Lines 37-41) comprising: a storage unit in which key information (See Lemelson e.g. ID code identifying the unit 10, or personal identification number, Co. 6, Lines 8-9) is stored (See Lemelson e.g. Memory 13, 14, 21, and or 19, 23 of Fig. 3, stored in memory, Co. 6, Line 14); a reception unit for receiving an emergency signal including key information (See Lemelson e.g. receiver 34R of Fig. 3, or transceiver 24 (or receiver and / or transmitter) of Fig. 3, transceiver 24 receives control signal (or emergency signal), Co. 6, Lines 10-14); a control unit (See Lemelson e.g. microprocessor 12 of Fig. 3) for determining whether the key information stored in the storage unit and the key information included in the emergency signal match (See Lemelson e.g. microprocessor match or compare the received ID code with identification code in the memory, Co. 6, Lines 10-14); and a transmission unit for transmitting a rescue Signal (See Lemelson e.g. transceiver 24 (or receiver and / or transmitter) of Fig. 3. When activated, first code generator applies first signals in the form of one or more identifying codes to the radio transceiver 24 and the code signals are received by the transceivers 4 or 6 Co. 6, Lines 21-26, signal 61 (or rescue signal) of Figs. 1 and 2), wherein when the key information stored in the storage unit and the key information included in the emergency signal match, a rescue signal is transmitted from the transmission unit or / the portable detector (See Lemelson e.g. 41 of Figs. 1-2) receives the rescue signal (See Lemelson e.g. signal 61 (or rescue signal) of Figs. 1 and 2) transmitted from the mobile (See Lemelson e.g. 10 of Figs. 1-2) telephone apparatus (See Lemelson e.g. if microprocessor detects match, then transceiver 24 transmits to transceiver unit 4 or 6, Co. 6, Lines 20-26) or the computer locates the position of the mobile telephone apparatus on the principle of trilateration (See Lemelson e.g. compute the locations using triangulation method, Co. 4, Lines 22-23, Co. 5, Lines 46-50).

Applicant(s) are reminded that the Examiner is entitled to give the broadest reasonable interpretation to the language of the claim. The Examiner is not limited to Applicant's definition, which is not specifically set forth in the claims, *In re Tanaka et al*, 193 USPQ 139, (CCPA) 1977. Therefore, the previous rejection is maintained.

With respect to claim 2, the rescue signal (See Lemelson e.g. a two-way or bi-directional signal 61 (or rescue signal) of Figs. 1 and 2, transceiver 24 (or receiver and / or transmitter) of Fig. 3. When activated, first code generator applies first signals in the form of one or more identifying codes to the radio transceiver 24 and the code signals are received by the transceivers 4 or 6 Co. 6, Lines 21-26, signal 61 (or rescue signal) of Figs. 1 and 2). Therefore the signal exists and can carry or contain information such as ID code as discussed above and the previous rejection is maintained.

With respect to claim 3, Lemelson teaches another control unit for controlling speaking function (See Lemelson e.g. a speech computer 16 of Fig. 3, Co. 5, Lin 67 -Co. 6, Line 5, analyzing the speech signals and generating control signals for closing the switch 17 (or turning off or powering off, or disabling) or otherwise activating (or power on or enabling or turning on) the circuitry i.e. the battery 17B as shown in Fig. 3), a switch (See Lemelson e.g. a switch 17 of Fig. 3, Co. 5, Lines 60-65), and a Battery (See Lemelson e.g. 17B of Fig. 3, Co. 5, Lines 60-65), wherein the switch is configured (inherently) to switch on and off the power supply from the battery (See Lemelson e.g. battery 17B, of Fig. 3) to the other control unit, and the battery supplies power to the control unit (See Lemelson e.g. closing / opening the switch 17 to activate (or turn on) and 17 which is connected to microprocessor 12, Co. 5, Lines 60-65). Therefore the previous rejection is maintained.

Rejections - 35 USC § 103

In response to applicant's argument that there is no suggestion to combine the Lemelson and Overly references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Lemelson teaches the key information stored in the storage unit (See Lemelson e.g. Memory 13, 14, 21, and or 19, 23 of Fig. 3, stored in memory, Co. 6, Lines 7-14) and the key information included in the emergency signal match (See Lemelson e.g. ID code identifying the unit 10, or personal identification number, Co. 6, Lines 6-14, if microprocessor detects match, then transceiver 24 transmits to transceiver

unit 4 or 6, Co. 6, Lines 20-26). Further, Examiner relies on the Lemelson reference for teaching the rescue signal (See Lemelson e.g. a two-way or bi-directional signal 61 (or rescue signal) of Figs. 1 and 2, transceiver 24 (or receiver and / or transmitter) of Fig. 3. When activated, first code generator applies first signals in the form of one or more identifying codes to the radio transceiver 24 and the code signals are received by the transceivers 4 or 6 Co. 6, Lines 21-26, signal 61 (or rescue signal) of Figs. 1 and 2). However, Lemelson is silent that a sound wave is transmitted together with the rescue signal. In an analogous field of endeavor, Overy teaches the concept of the sound wave is transmitted together with the rescue signal (See Overy e.g. ultrasound signal 355 (or sound wave) simultaneously with the radio signal, Page 2, Lines 1-2 of ¶ [0033]. Also See, Page 2, ¶ [0037], Page 1, ¶ [0001], Page 2 ¶ [0031]). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Overy to Lemelson to provide method, system, and or devices (i.e. mobile phones) utilizing a sound signal and a radio signal together (or simultaneously) (**emphases added**) and the motivation is for determining the distance between the two devices by measuring the time difference between the two signals (**emphases added**) as suggested (See Overy e.g. Page 2, ¶ [0033]).

Regarding claim 5, Examiner very kindly directs the Applicant that focus of the rejection is based on Lemelson teaches the key information stored in the storage unit (See Lemelson e.g. Memory 13, 14, 21, and or 19, 23 of Fig. 3, stored in memory, Co. 6, Lines 7-14) and the key information included in the emergency signal match (See Lemelson e.g. ID code identifying the unit 10, or personal identification number, Co. 6, Lines 6-14, if microprocessor detects match, then transceiver 24 transmits to transceiver unit 4 or 6, Co. 6, Lines 20-26). However, Lemelson is silent that light is generated. In an analogous field of endeavor, Boling teaches concept of that light is generated (See Boling e.g. light source 30, light indicators 32, 34, 36 of Fig. 3, Co. 5, Lines 48-53). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Boling to Lemelson to use a light source generator in mobile communication device for emergency response system attempting to locate the individual who need assistant and the motivation is to provide and operator or (individual or a injured person) information concerning whether or not the phone is within communication

range of a cellular station as suggested (See Boling e.g. Co. 5, Lines 48-57). Further, in view of the Applicant argues, it is noted that the features upon which applicant relies (i.e. Lemelson's camera 28 is disclosed as being used not to locate a person but to provide "pictorial indications at the monitor station of the situation in the vicinity of subsystem, See page 17, Lines 8-10) **are not recited in the rejected claim 5 (Emphases added)**. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. Therefore, the previous rejection is maintained. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

With respect to claim 8, Examiner agrees that Lemelson does not explicitly state word(s) "rescue" or "Robot". However, Lemelson does teach the rescue signal (See Lemelson e.g. a two-way or bi-directional signal 61 (or rescue signal) of Figs. 1 and 2, transceiver 24 (or receiver and / or transmitter) of Fig. 3. When activated, first code generator applies first signals in the form of one or more identifying codes to the radio transceiver 24 and the code signals are received by the transceivers 4 or 6 Co. 6, Lines 21-26, signal 61 (or rescue signal) of Figs. 1 and 2). In further review, Lemelson explicitly teaches a position locating system using triangulation (See Co. 5, Lines 46-50) and one or more substation (or Cell Sites, or cell sectors (See Co. 7, Line 21). Chang U.S. 6,263,208 B1 explicitly supports that **the triangulation technique which requires (emphases added)** signal from three or more base stations within service area (or disaster area) or in E911 emergency situation (See Chang e.g. Co. 1, Lines 30-36) that is when Fire Department or Police personal come to rescue a person at the time of emergency. Therefore the signal is interpreted as a rescue signal or (distress signal or emergency signal). Examiner again very kindly directs the Applicant that Lemelson explicitly teaches that a remote portable unit which is taken to be the mobile telephone (See Lemelson e.g. Co. 5, Line 31,) and Fig. 3 explicitly teaches the detail embodiment of the remote unit 10 / or mobile telephone, Co. 5, Lines 37-39. Such portable device and person or vehicle carrying the same that is the same type device is in vehicle 41 of fig. 2 or in the Home Base 40 of Fig. 2 or Unit 10 of Fig. 2, portable unit 10 of Fig. 3, Co. 5, Lines 37-41. Therefore the unit 10 is portable and moving and the location is determined by GPS receive or **triangulation** technique as discussed above. Bloomfield merely being used to over come deficiencies of Lemelson. Bloomfield

teaches the concept of the robot and / or the robot moves (See Bloomfield e.g. robot is to move, Co. 2, Lines 13-23 in a mobile detection system in an emergency (or distress) state or condition to automatically report to police station, fire station or central monitoring unit, Co. 2, Lines 34-44) close to the mobile telephone apparatus (See Bloomfield e.g. Robot 1, mobile device 2 of Fig.1, Robot 1 of Fig. 2). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Bloomfield to Lemelson to use a robot device at the time of disaster (i.e. fire, intruder, an abnormal condition, etc.) in a mobile rescue (or detection) system via a 2-way wireless communication system in order to listening to a sound generated from the monitoring region (or emergency area) via a wireless communication with the robot and remotely commanding an operation from a distance (See Bloomfield e.g. Co. 1, Lines 11-18, and Lines 45-51).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 6, 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Lemelson (U.S. Patent e.g. 5, 731, 785).

With respect to claims 1, 6, 7, Lemelson teaches a rescue system (See Lemelson e.g. system of Fig. 1, system and method for communicating location for security purposes (i.e. emergency or abduction or theft, distress etc., Co. 1, Lines 25-29, Co. 5, Lines 37-41) provided with a mobile telephone apparatus (See Lemelson e.g. portable unit 10 of Fig. 3, Co. 5, Lines 37-41) and a portable detector (See Lemelson e.g. mobile unit 41 of Fig. 1) or / three or more reception units installed in a disaster site (See cellular telephone networks inherently have / install a plurality (three or more) of sites (or cell sites or base

station), Co. 3, Line 24), and a computer (See Lemelson e.g. computer 34 of Fig. 3) / or a mobile telephone apparatus (See Lemelson e.g. portable unit 10 of Fig. 3, Co. 5, Lines 37-41) comprising: a storage unit in which key information (See Lemelson e.g. ID code identifying the unit 10, or personal identification number, Co. 6, Lines 8-9) is stored (See Lemelson e.g. Memory 13, 14, 21, and or 19, 23 of Fig. 3, stored in memory, Co. 6, Line 14); a reception unit for receiving an emergency signal including key information (See Lemelson e.g. receiver 34R of Fig. 3, or transceiver 24 (or receiver and / or transmitter) of Fig. 3, transceiver 24 receives control signal (or emergency signal), Co. 6, Lines 10-14)); a control unit (See Lemelson e.g. microprocessor 12 of Fig. 3) for determining whether the key information stored in the storage unit and the key information included in the emergency signal match (See Lemelson e.g. microprocessor match or compare the received ID code with identification code in the memory, Co. 6, Lines 10-14); and a transmission unit for transmitting a rescue Signal (See Lemelson e.g. transceiver 24 (or receiver and / or transmitter) of Fig. 3. When activated, first code generator applies first signals in the form of one or more identifying codes to the radio transceiver 24 and the code signals are received by the transceivers 4 or 6 Co. 6, Lines 21-26, signal 61 (or rescue signal) of Figs. 1 and 2), wherein when the key information stored in the storage unit and the key information included in the emergency signal match, a rescue signal is transmitted from the transmission unit or / the portable detector (See Lemelson e.g. 41 of Figs. 1-2) receives the rescue signal (See Lemelson e.g. signal 61 (or rescue signal) of Figs. 1 and 2) transmitted from the mobile (See Lemelson e.g. 10 of Figs. 1-2) telephone apparatus (See Lemelson e.g. if microprocessor detects match, then transceiver 24 transmits to transceiver unit 4 or 6, Co. 6, Lines 20-26) or the computer locates the position of the mobile telephone apparatus on the principle of trilateration (See Lemelson e.g. compute the locations using triangulation method, Co. 4, Lines 22-23, Co. 5, Lines 46-50).

Regarding claim 2, Lemelson teaches the storage unit stores (See Lemelson e.g. Memory 13, 14, 21, and or 19, 23 of Fig. 3, stored in memory, Co. 6, Line 14) individual-identifying information for identifying the user of (See Lemelson e.g. ID code identifying the unit 10, or personal identification number, Co. 6, Lines 8-9) the mobile telephone apparatus (See Lemelson e.g. portable unit 10 of Fig. 3,

Co. 5, Lines 37-41), and wherein the individual-identifying information is included in the rescue signal (See the code signals are received by unit 4, Co. 6, Lines 25-26 or mobile unit 41, Co. 6, Lines 36-38).

Regarding claim 3, Lemelson teaches further comprising another control unit for controlling speaking function (See Lemelson e.g. a speech computer 16 of Fig. 3, Co. 5, Lin 67—Co. 6, Line 1), a switch (See Lemelson e.g. a switch 17 of Fig. 3, Co. 5, Lines 60-65), and a Battery (See Lemelson e.g. 17B of Fig. 3, Co. 5, Lines 60-65), wherein the switch is configured (inherently) to switch on and off the power supply from the battery (See Lemelson e.g. battery 17B, of Fig. 3) to the control unit for controlling speaking functions (See Lemelson e.g. Speech anal 16 of Fig. 3) , and the battery supplies power to the control unit (See Lemelson e.g. closing / opening the switch 17 to activate (or turn on)and 17 which is connected to microprocessor 12, Co. 5, Lines 60-65) that determines whether the key information (See Lemelson e.g. ID code identifying the unit 10, or personal identification number, Co. 6, Lines 8-9) stored in the storage unit (See Lemelson e.g. Memory 13, 14, 21, and or 19, 23 of Fig. 3, stored in memory, Co. 6, Lines 7-14) and the key information included in the emergency signal match, irrespective of the switch status (See Lemelson e.g. if microprocessor detects match, then transceiver 24 transmits to transceiver unit 4 or 6, Co. 6, Lines 20-26).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson (U.S. Patent e.g. 5, 731,785) in view of Overy (U.S. Pub. No.: 2003/0003866 A1).

Regarding claim 4, Lemelson teaches everything as discussed above in the rejected claims, 1, 6, 7. Further, Lemelson teaches the key information stored in the storage unit (See Lemelson e.g. Memory 13, 14, 21, and or 19, 23 of Fig. 3, stored in memory, Co. 6, Lines 7-14) and the key information included in the emergency signal match (See Lemelson e.g. ID code identifying the unit 10, or personal identification number, Co. 6, Lines 6-14, if microprocessor detects match, then transceiver 24 transmits to transceiver unit 4 or 6, Co. 6, Lines 20-26). However, Lemelson is silent that a sound wave is transmitted together with the rescue signal. In an analogous field of endeavor, Overy teaches the concept of the sound wave is transmitted together with the rescue signal (See Overy e.g. ultrasound signal 355 (or sound wave) simultaneously with the radio signal, Page 2, Lines 1-2 of ¶ [0033], Also See, Page 2, ¶ [0037], Page 1, ¶ [0001], Page 2 ¶ [0031]). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Overy to Lemelson to provide method, system, and or devices (i.e. mobile phones) utilizing a sound signal and a radio signal together (or simultaneously) determining the distance between the two devices by measuring the time difference between the two signals as suggested (See Overy e.g. Page 2, ¶ [0033]).

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson (U.S. Patent e.g. 5, 731,785) in view of Boling (U.S. Patent 6,044,257 A).

Regarding claim 5, Lemelson teaches everything as discussed above in the rejected claims 1, 6, 7. Further, Lemelson teaches the key information stored in the storage unit (See Lemelson e.g. Memory 13, 14, 21, and or 19, 23 of Fig. 3, stored in memory, Co. 6, Lines 7-14) and the key information included in the emergency signal match (See Lemelson e.g. ID code identifying the unit 10, or personal identification number, Co. 6, Lines 6-14, if microprocessor detects match, then transceiver 24 transmits to transceiver unit 4 or 6, Co. 6, Lines 20-26). However, Lemelson is silent that light is generated. In an analogous field of endeavor, Boling teaches concept of that light is generated (See Boling e.g. light source 30, light indicators 32, 34, 36 of Fig. 3, Co. 5, Lines 48-53). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching

of Boling to Lemelson to use a light source generator in mobile communication device for emergency response system attempting to locate the individual who need assistant and the motivation is to provide and operator or (individual or a injured person) information concerning whether or not the phone is within communication range of a cellular station as suggested (See Boling e.g. Co. 5, Lines 48-57).

7. Claims 8, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson (U.S. Patent e.g. 5,731,785) in view of Bloomfield (U.S. 5,446,445 A).

With respect to claims 8, 11, With respect to claims 1, 6, 7, Lemelson teaches a rescue system (See Lemelson e.g. system of Fig. 1, system and method for communicating location for security purposes (i.e. emergency or abduction or theft, distress etc., Co. 1, Lines 25-29, Co. 5, Lines 37-41) with a mobile telephone apparatus (See Lemelson e.g. portable unit 10 of Fig. 3, Co. 5, Lines 37-41) wherein a mobile telephone apparatus (See Lemelson e.g. portable unit 10 of Fig. 3, Co. 5, Lines 37-41) having a storage unit in which key information (See Lemelson e.g. ID code identifying the unit 10, or personal identification number, Co. 6, Lines 8-9) is stored (See Lemelson e.g. Memory 13, 14, 21, and or 19, 23 of Fig. 3, stored in memory, Co. 6, Line 14); a reception unit for receiving an emergency signal including key information (See Lemelson e.g. receiver 34R of Fig. 3, or transceiver 24 (or receiver and / or transmitter) of Fig. 3, transceiver 24 receives control signal (or emergency signal), Co. 6, Lines 10-14)); a control unit (See Lemelson e.g. microprocessor 12 of Fig. 3) for determining whether the key information stored in the storage unit and the key information included in the emergency signal match (See Lemelson e.g. microprocessor match or compare the received ID code with identification code in the memory, Co. 6, Lines 10-14); and a transmission unit for transmitting a rescue Signal (See Lemelson e.g. transceiver 24 (or receiver and / or transmitter) of Fig. 3), wherein when the key information stored in the storage unit and the key information included in the emergency signal match, the transmission unit transmits a rescue signal (See Lemelson e.g. if microprocessor detects match, then transceiver 24 transmits to transceiver unit 4 or 6, Co. 6, Lines 20-26) or while receiving the rescue signal transmitted from the mobile telephone apparatus (See Lemelson e.g. if microprocessor detects match, then transceiver 24 transmits to transceiver unit 4 or 6, Co. 6, Lines 20-26). However, Lemelson is silent that a robot and / or the robot

moves close to the mobile telephone apparatus while receiving the rescue signal transmitted from the mobile telephone apparatus. In an analogous field of endeavor, Bloomfield teaches the concept of committing a robot toward the determined location or a robot and / or a robot moves (See Bloomfield e.g. robot is to move, Co. 2, Lines 13-23) close to the mobile telephone apparatus (See Bloomfield e.g. Robot 1, mobile device 2 of Fig.1, Robot 1 of Fig. 2). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Bloomfield to Lemelson to use a robot device at the time of disaster (i.e. fire, intruder, an abnormal condition, etc.) in a mobile rescue (or detection) system via a 2-way wireless communication system as suggested (See Bloomfield e.g. Co. 1, Lines 11-18).

Allowable Subject Matter

8. Claims 9-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 9, the prior art of record fails to disclose singly or in combination or render obvious that the mobile telephone apparatus has means to generate a sound wave together with the rescue signal when the key information stored in the storage unit and the key information included in the emergency signal match; the robot performs the reception of the rescue signal and the reception of the sound wave; wherein the distance between the robot and the mobile telephone apparatus is determined based on a time lag between the reception of the rescue signal and the reception of the sound wave by the robot.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Chang (U.S. 6,263,208 B1).

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kamran Afshar whose telephone number is (571) 272-7796. The examiner can be reached on Monday-Friday.

If attempts to reach the examiner by the telephone are unsuccessful, the examiner's supervisor, **Eng, George** can be reached @ (571) 272-3984. The fax number for the organization where this application or proceeding is assigned is **571-273-8300** for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kamran Afshar/

Examiner, Art Unit 2617